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Paper No.

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COPY MAILED

MAY 13 2004

In re Application of :
Lanny R. Lee :
Application No. 10/668,742 :
Filed: October 6, 2003 :
Title of Invention: EXPANSION :
MOTOR :

OFFICE OF PETITIONS
DECISION ON PETITION

This is a decision on the correspondence filed April 14, 2004, in response to a Notice to File Corrected Application Papers. The correspondence is properly treated as a Petition Under 37 CFR 1.182.

Background

The application was filed on October 6, 2003. On February 13, 2004, the Office of Initial Patent Examination mailed a Notice to File Corrected Application Papers (hereinafter "Notice"), stating, *inter alia*, that the application had been accorded a filing date, and requiring replacement claims and abstract commencing on separate sheets in compliance with 37 CFR §§ 1.75(h) 1.72(b) respectively. The Notice further informed Applicant that Figure 8b described in the specification appeared to have been omitted from the application.

Applicant responds with the petition and an abstract and claims commencing on separate sheets. Regarding Figure 8b, Applicant avers that there is an error in the drawings and the description, and also notes that other mistakes have been discovered. Applicant avers that the mistakes "can be fixed without adding material to the description."

It appears that Applicant is asserting that changes may be corrected without adding new matter to the original disclosure. Applicant is advised that a preliminary amendment to the application may be filed correcting errors in the application, so long as the preliminary amendment contains no new matter.

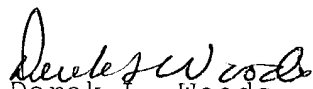
A preliminary amendment may be used to correct errors in the drawings as well as errors in the description without the need for a petition. The issue of new matter is one appropriately addressed by the examiner.

Applicant also wonders whether it is possible to come to the Office for help with his application. Applicant is advised to contact the Office of Independent Inventors here at the USPTO, at (703) 306-5568, for assistance in prosecuting his application. The Office of Independent Inventors is designed to assist those applicants who do not have an attorney to file and prosecute their patent applications. Applicant may also contact the Patent Assistance Center at (800) 786-9199. The Patent Assistance Center is staffed by retired patent examiners who provide assistance to applicants in navigating the prosecution of their application.

The petition is dismissed. Since the present petition was not necessitated by any error on the part of the Office, the \$130.00 petition fee will not be refunded.

The application is being returned to the Office of Initial Patent Examination for processing of the abstract and claims sheets with a filing date of October 6, 2003.

Telephone inquiries concerning this matter should be directed to the undersigned at (703) 305-0014.


Derek L. Woods

Petitions Attorney
Office of Petitions